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Attorneys for Defendant

SEAMLESS CONTACTS, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DOUG SPINDLER, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

SEAMLESS CONTACTS INC.,

Defendant.

CASE NO.: 4:22-CV-00787-KAW

**STIPULATION AND ORDER PURSUANT
TO LOCAL RULE 6-2 TO EXTEND
BRIEFING DEADLINES REGARDING
DEFENDANT'S MOTION TO DISMISS**

AS MODIFIED

Judge: Hon. Kandis A. Westmore

4:22-CV-00787-KAW

STIPULATION AND [PROPOSED] ORDER PURSUANT TO LOCAL RULE 6-2 TO EXTEND
BRIEFING DEADLINES REGARDING DEFENDANT'S MOTION TO DISMISS

Pursuant to Civil L. R. 6-2(a) of the United States District Court for the Northern District of California, respective counsel for Plaintiff Doug Spindler (“Plaintiff”) and Defendant Seamless Contacts, Inc. (“Defendant”) stipulate to a request for an order extending briefing deadlines regarding Defendant’s Motion to Dismiss. In support of their request, they state as follows:

Plaintiff filed the Complaint in this action on February 7, 2022.

On February 24, 2022, the Parties stipulated that Defendant’s responsive pleading would be due on or before April 4, 2022. Defendant will move to dismiss the Complaint on that date.

Under Civil L. R. 7-3(a), Plaintiff would have 14 days to respond to Defendant’s motion, and Defendant would have 7 days thereafter to reply, such that Plaintiff’s opposition would be due April 18 and Defendant’s reply would be due April 25. The Parties, however, request a modest extension, such that Plaintiff’s opposition will be due on or before **April 25, 2022** and Defendant’s reply will be due on or before **May 9, 2022**.

Having been informed that the foregoing stipulation will require the continuance of the Case Management Conference (“CMC”) now scheduled for May 10, 2022, the parties have proposed **June 7, 2022** as the date for the rescheduled CMC, but they notify the Court that counsel is also available on May 31, June 14, June 21, and June 28, should the Court prefer any of those dates.

There parties accordingly ask for entry of the attached Proposed Order.

Dated: April 1, 2022

HUNTON ANDREWS KURTH LLP

By: /s/ Ann Marie Mortimer
 Ann Marie Mortimer
 Brian A. Wright (admitted *pro hac*
vice)
 Attorneys for Defendant
 SEAMLESS CONTACTS, INC.

[signatures continue on next page]

1 Dated: April 1, 2022

**MORGAN & MORGAN COMPLEX
LITIGATION GROUP**

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4 By: /s/ Raina Borrelli
Raina Borrelli (admitted *pro hac vice*)
5 Michael F. Ram
6 Marie N. Apple
Attorneys for Plaintiff
7 DOUG SPINDLER
8

9 **ATTESTATION**


10 I, Ann Marie Mortimer, am the ECF user whose ID and password are being used to file this
11 document. In compliance with Local Rule 5-1(i)(3), I hereby attest that all other signatories to this
12 document have concurred in its filing.

13
14 Dated: April 1, 2022

/s/ Ann Marie Mortimer
Ann Marie Mortimer

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17 **PURSUANT TO STIPULATION, IT IS SO ORDERED. Initial case management conference is**
18 **continued to July 5, 2022. Joint case management statement is due by June 27, 2022.**

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20 Dated: April 11, 2022

21 
22 Kandis A. Westmore
United States Magistrate Judge
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